

REMARKS/ARGUMENTS

Reconsideration of this application is requested. Claims 1-5, 7-9 and 12-28 will be pending in the application subsequent to entry of this Amendment.

The claims have been amended in order to more particularly point out and distinctly claim that which applicants regard as their invention, direct them to preferred aspects of the disclosure and include claims directed to a process for forming the gas barrier laminate.

More specifically, claim 1 has been amended to specify that the gas barrier laminate consists of the listed layers. Similarly, claim 8 has been written in independent format to consist of the layers specified.

New claims 16-24 are directed to a procedure for preparing a gas barrier laminate which includes three active steps and, in turn, specifies the arrangement of layers provided in the forming/manufacturing process. New claims 25-27 are directed to gas barrier laminates produced by the process claimed in claim 16.

The Official Action includes nine separate prior art-based rejections, the first six based in whole or in part on the disclosures of US patent 6,013,363 to Takahashi and three separate rejections based upon newly cited US 5,084,356 to Deak taken in combination with Kajimaru et al US 2002/0061959 and sometimes together with other documents as well.

Considering the applied references and in particular the nine separate prior art-based rejections, it will be apparent from the statement of the rejection that applicants' claims limited to a specific number of layers are neither anticipated by nor suggested by the structures of the prior art as the layer construction is different as between the present claims and the prior art as is the order of layer construction. All of these rejections, that is items 3-98 in the current Official Action are respectfully traversed.

The complexity of the order and multiple layers of the Takahashi reference will be apparent from the illustration given in item 4 of the Official Action (and see also the partial illustration in item 12) as well as the cross-section given in item 36 of the Official Action (which appears to be identical to the cross-section in item 4 of the Official Action) (as well as the abbreviated structure given in item 44).

The Deak reference suffers from the same deficiencies of Takahashi et al, namely the layer construction is different and multiple layers are provided which are not contemplated by or included in the claims of the present application.

For these reasons it seems to be unnecessary for applicants to discuss in detail each of the nine separate rejections set out in the Official Action when they are all fundamentally flawed in including a significant number of layers not contemplated by applicants' claims nor the particular order of sequence of the layers which is also clearly specified in applicants' claims. Accordingly, reconsideration and withdrawal of these rejections is appropriate.

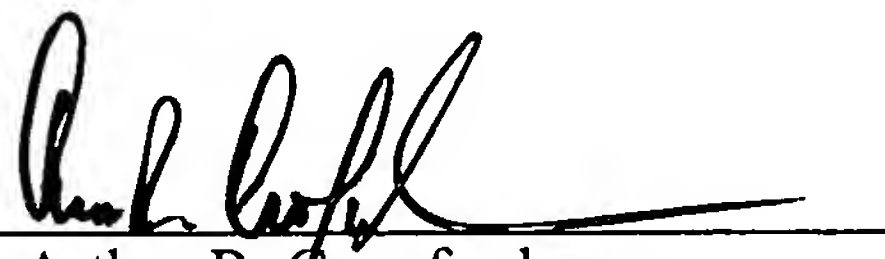
The Official Action does include in items 99-101 certain discrepancies in claim 12, however applicants do not understand the examiner's comments in exactly in which manner claim 12 is unclear, if at all. Absent a clearer statement of the reason for rejection of claim 12 applicants are not able to respond further, however authorization is given to the examiner to cancel claim 12 in the event any claims dependent from it or from which it depends are allowed or allowable.

For the above reasons it is respectfully submitted that all pending claims in this application define inventive matter. Reconsideration and allowance are solicited.

Respectfully submitted,

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